

FINANCE COMMISSION OF TEXAS

RESOLUTION SUPPORTING UNIFORMITY OF LAWS GOVERNING CREDIT ACCESS  
BUSINESSES

WHEREAS, in 2011, the Texas Legislature enacted legislation that amended Chapter 393 of the Texas Finance Code, providing licensure and disclosure requirements for credit access businesses that assist consumers in engaging in deferred presentment transactions and motor vehicle title loans; and,

WHEREAS, the Finance Commission of Texas has carefully considered and adopted rules implementing this legislation; and,

WHEREAS, the legislation and rules governing credit access business have statewide effect; and,

WHEREAS, at least two municipal jurisdictions have enacted ordinances creating different requirements from the legislation and rules exclusively for credit access businesses; and,

WHEREAS, the ordinances not only increase complexity of compliance and training for Texas credit access businesses, which are now subject to different requirements in the various Texas cities where they operate, but also impose civil or criminal penalties on conduct that complies with state law and the rules; and,

WHEREAS, these differing requirements have the potential to create confusion and disparate impact on the part of consumers who are assisted by credit access businesses subject to dissimilar requirements, even potentially within a single ZIP code; and

WHEREAS, the adoption of distinctly different ordinances among multiple jurisdictions could create potential conflict with state law, resulting in the possibility of lengthy and costly litigation.

NOW, THEREFORE, BE IT RESOLVED, that the Texas Finance Commission does hereby request that the Texas Legislature consider amending the Texas Finance Code to more clearly articulate its intent for uniform laws and rules to govern credit access businesses in Texas.

*Given under my hand at Austin, Texas*

*On the 20th day of April*

*In the year two thousand and twelve*



William J. White

Chair, Finance Commission of Texas